REMARKS

Claims 12-15 have been withdrawn. Accordingly, claims 1-11 are pending and at issue.

Of the pending claims, claims 3-8 have been objected to. Claims 3, 4 and 8 have been rewritten in independent form by incorporating the limitations of their base claim (no. 1). Claims 5-7 variously depend from claim 4. Accordingly, claims 3-8 are believed to be in agreed allowable form.

Claims 1, 2 and 9-11 stand rejected, all as being anticipated under 35 U.S.C. §102(b) by three different references:

a. Howells U.S. Patent No. 4,938,284.

b. Wijkstrom U.S. Patent No. 5,816,321.

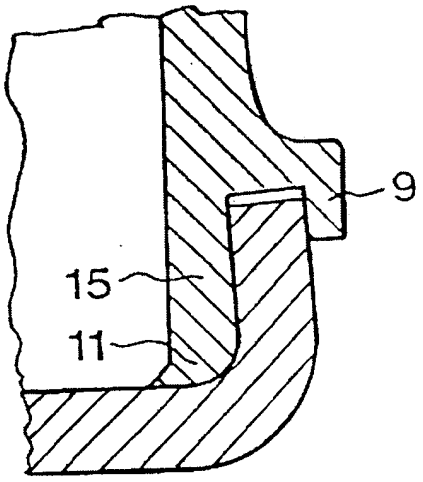
c. Wijkstrom *et al.* U.S. Patent No. 5,836,384.

Applicant respectfully traverses this rejection insofar as it may be applied to claims 1, 2 and 9-11. (Independent claim 1 has been amended herein to more clearly define the bend structure as identified in the disclosure).

While the cited references variously show structures in which three different parts are connected to form heat exchanger tanks, none of these structures include a connected joint of three parts such as recited in claim 1 wherein at that three part junction one of the parts has a bend with a sheet thickness which is less than the sheet thickness of the adjacent portions of the first closure piece *on opposite sides of the bend*. That is, while the three references show connection of three parts, and variously show bends and other configurations which do not have

the same thickness as the rest of the parts, none of these variations show a joint of three parts in which a bend is formed at a thinned intermediate portion. For example, Fig. 2 of Wijkstrom at right illustrates a connection joint of two pieces, not three. Moreover, while the material at references 9, 11 and 15 has varying thicknesses, there is no bend formed in a thin portion which is between two thicker portions[1], and most particularly there is no such bend at a joint of three parts. The same is true in Howells and Wijkstrom *et al.*

FIG.2



Moreover, even if there are any joints of three parts in the various structures shown in the references, no particularly clear illustration of those joints is shown, and certainly there is no suggestion to form such joints with one of the parts having a bend in a thin portion between two thicker portions. As explained in the present application, this structure allows for advantageous closing of the open cross section at such joints whereby, for example, advantageous soldering methods may be used to securely close the open cross section. *See, e.g.*, page 11, lines 11-16; page 15, lines 6-13; page 15, line 24 to page 16, line 10.

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[1]*E.g.*, the tip at reference numeral 11 might in an unduly broad reading be said to be a bend, and include a thinned portion, it is not a bend having thicker portions on both sides of the bend.

In view of the above, all of pending claims 1-11 at issue are believed to be allowable. Early notification to that effect is respectfully requested.

Respectfully submitted,

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April 5, 2005

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